

**Attorney Docket No. 11016US05/100-236.P2.C2**

**In re Application of:**

Lewis H. Lambert, Jr.

Serial No.: 09/696,709

Filing Date: October 24, 2000

**For: Improved Therapeutic Compositions  
Comprising Bactericidal/Permeability-  
Increasing (BPI) Protein Products**

**Examiner: Sheridan Snedden**

Group Art Unit No.: 1653

**EXPRESS MAIL NO. EV105517960US**

**DATE OF MAILING: October 3, 2002**

RECEIVED  
OCT 08 2002  
TECH CENTER 1600/2900

Commissioner for Patents  
Washington, D.C. 20231

**Sir:**

In response to the Office Action mailed April 4, 2002, Applicant elects Group I claims. Group I consisted of original claims 1-4 and 9-11, stated by the Examiner as drawn to a composition of BPI, stabilizing copolymer and poloxamer surfactant. This response is timely filed, as a Petition for a Five-Month Extension of Time, with a check for the required fee of \$980.00, is submitted herewith, making the response due on October 4, 2002.

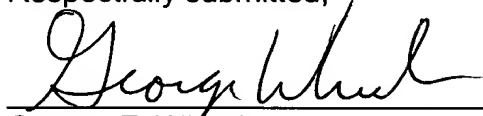
Group II consisted of claims 5-8 and 12-14, stated by the Examiner as drawn to a method of treating bacterial and/or fungal infections.

Applicant's election of Group I, claims 1-4 and 9-11, is hereby made without prejudice to Applicant's right to pursue the non-elected claims in one or more divisional applications. The Examiner is invited to telephone Applicant's

representative if the Examiner believes, for any reason, that personal communication would expedite the prosecution of this application.

Date: October 3, 2002

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "George F. Wheeler", written over a horizontal line.

George F. Wheeler

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Janet M. McNicholas, Ph.D.

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